
Name

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

I am Plaintiff/Petitioner Defendant/Respondent
 Plaintiff/Petitioner's Attorney Defendant/Respondent's Attorney (Utah Bar #: _____)
 Person with Power of Attorney for:
 Plaintiff/Petitioner Defendant/Respondent, who is in military service

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

| | |
|---|--|
| <p>_____ Plaintiff/Petitioner</p> <p>V.</p> <p>_____ Defendant/Respondent</p> | <p>Motion for Stay under the Servicemembers Civil Relief Act</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p> |
|---|--|

Instructions:

Attach a letter from the service member's commanding officer stating that the service member's military duty prevents appearance and that leave is not authorized.

1. I request that this case be stayed until _____ (date), at which time military service should no longer affect the service member's ability to appear.
2. _____ (number of) previous stays have been granted. (If no stays have been previously granted, enter 0.)

3. I am: (Choose one.)
- the service member.
 - the attorney appointed by the court.
 - the attorney hired by the service member.
 - a person with power of attorney from the service member, and I am permitted to make this motion under 50 U.S.C. App. Section 519.

4. The service member is on active duty in: (Choose one.)
- the Army, Navy, Air Force, Marine Corps, or Coast Guard.
 - a reserve component ordered to report for active service.
 - the National Guard called to active service.

5. This motion is being filed: (Choose one.)
- before the service member starts active duty.
 - while the service member is on active duty.
 - within 90 days after the service member was released from active duty.

6. The service member has has not received notice of this case.

7. I make this request because the service member may have a defense which cannot be presented without the service member's presence. Military service materially affects the service member's ability to appear because:
(Explain how military service materially affects the ability to appear. Attach a letter from the service member's commanding officer stating that the service member's military duty prevents appearance and that leave is not authorized.)

8. Under 50 U.S.C. App. Section 522(c), this motion is not an appearance for jurisdictional purposes, and it does not constitute a waiver of any substantive or procedural defense, including a defense relating to lack of personal jurisdiction.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion for Stay under the Servicemembers Civil Relief Act on the following people.

| Person's Name | Service Method | Service Address | Service Date |
|---------------|---|-----------------|--------------|
| | <input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.) | | |
| | <input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.) | | |
| | <input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.) | | |

_____ Signature ► _____
 Date Printed Name _____